

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

**RIVERA GOMEZ, RICARDO LUIS
TORRES MONTANEZ, HEIDEE MAGALY
DEBTOR**

CASE NO. **10-05419**

CHAPTER 07

**APPLICATION FOR LEAVE TO EMPLOY REALTOR
PURSUANT TO RULE 2014 OF THE
FEDERAL RULES OF BANKRUPTCY PROCEDURE**

TO THE HONORABLE COURT:

COMES NOW, **Wilfredo Segarra Miranda**, Trustee in the present case, who respectfully states and prays relief as follows:

1. Applicant is the duly appointed trustee in the above-captioned proceeding.
2. The undersigned trustee seeks to employ realtors **Zunilda Cabrera Jiménez**, license number 304 and **Pedro Betancourt Diaz**, license number 8416, to procure the sale of a real property pertaining to the herein estate.
3. In the undersigned trustee's best business judgment, aggressive marketing efforts, as those agreed and to be provided by **Zunilda Cabrera Jiménez and Pedro Betancourt Diaz**, may yield a feasible offer and realizable value for these properties within the valuation estimates obtained as of this date.
4. Within the services to be provided, **Zunilda Cabrera Jiménez and Pedro Betancourt Diaz** should be in charge of all selling and marketing efforts and will conduct the sale of the properties in accordance with the notice of sale filed and noticed to all creditors and parties in interest.
5. To the best of the trustee's knowledge, the realtors whose employment is sought

have no connection with the undersigned trustee, the Debtor, the creditors, any parties in interest, their respective attorneys or accountants, and the office of the US Trustee or any person employed by said office

6. Your trustee further believes that in the discharge of its duties the firm will not represent or hold any interest adverse to the herein estate and will be a disinterested person as defined in 11 U.S.C. §101(14) & §327.
7. The proposed realtors will be paid for its services as follows:
 - a. **Zunilda Cabrera Jiménez and Pedro Betancourt Diaz** will receive a real estate broker commission at the rate of 4% of the gross sales price on the private offers and sales procured by his services. This commission is to be paid by the estate, after notice hearing and allowance by the Court.
 - b. Any forfeited commission will be shared fifty per cent to the estate and fifty per cent to the realtors. This commission is to be paid by the estate from the forfeited moneys, after notice hearing and allowance by the Court.

NOTICE IS FURTHER GIVEN that, unless a party in interest files a written objection, with a copy thereof served to the trustee, within ***Twenty-one (21)*** from the date of this Notice and additional three(3) days pursuant to Fed. R. Bank P. 9006(f) the Court may enter an Order granting the application for employment of these realtors without the need of a hearing. Should a timely objection be filed, a hearing of such objection will be scheduled by the Court. Pursuant to Fed. R. Bank P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless(1) the requested relief is forbidden by

law(ii) the requested relief is against public policy; or(iii) in the opinion of the Court, the interest of justice requires otherwise.

WHEREFORE, undersigned Chapter 7 Trustee hereby requests the entry of an Order granting leave to employ **Zunilda Cabrera Jiménez and Pedro Betancourt Diaz**, to act as Realtors for the Trustee in the present Chapter 7 proceeding on the terms detailed herein.

CERTIFICATE OF SERVICE: The foregoing has been electronically filed with the Clerk of the Court using the CM/ECF System which will send notification of said filing to parties appearing on said system including the U.S. Trustee Office and sent by mail to Debtor and Debtor's attorney.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 5 day of November, 2010.

/s/wilfredo segarra miranda
WILFREDO SEGARRA MIRANDA
CHAPTER 7 TRUSTEE
PO Box 9023385
San Juan, PR 00902-338
Tel. (787) 725-6160
Fax (787) 977-2288

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**RIVERA GOMEZ, RICARDO LUIS
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VERIFIED DECLARATION UNDER PENALTY OF PERJURY

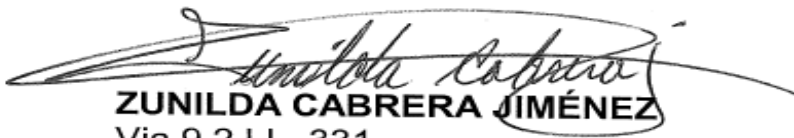
TO THE HONORABLE COURT:

We, **Zunilda Cabrera Jiménez**, license number 304, and **Pedro Betancourt Diaz**, license 8416, declare under penalty of perjury as follows:

1. We are a Realtors duly authorized to exercise our professions of Realtors by the laws of the Commonwealth of Puerto Rico. The exercise of said licenses have in no way been restricted or limited.
2. We maintain offices at #140 Vereda St., Paseo del Prado, Carolina, Puerto Rico, 00987, telephone 787-547-6521; 787-547-6514.
3. Prior to the date of the applicants engagement as realtor, we had no connections with debtor, debtor's attorney, creditor, US Trustee, Chapter 7 Trustee or any other party in interest.
4. That to the best of our knowledge and belief, we are "disinterested persons" as per Section 101(14) of the Bankruptcy Code, which definition is incorporated herein by reference, and we do not have any connection to any creditor or debtor in this case, nor any party in interest herein, nor anyone acting on their behalf whose interest may be adverse to debtor's estate, and we do not represent or hold any interest adverse to the debtor or to the estate, with respect to the matter on which it is to be employed as counsel, pursuant to 11 U.S.C. §327(a).

5. We have not received or been promised transfer, assignment, pledge of property of the debtor or the estate, except as for compensation as set forth herein to be made at no more of 4% of the gross sales price.
6. I have not agreed to share with any person, except members of my Firm, the compensation to be paid for the services rendered in this case.
7. The terms of compensation agreed to are as follows: no more of 4% of the gross sales price.
8. I will amend this statement immediately upon my learning that: (a) any of the representations made herein are incorrect, or (b) there is any change of circumstance relating thereto.
9. I have reviewed the provisions of LBR 2016-1.

In San Juan, Puerto Rico, this 5 day of November, 2010.



ZUNILDA CABRERA JIMÉNEZ
Via 9 2 LL, 331
Villa Fontana
Carolina, Puerto Rico
Tel. (787) 547-6514
Fax (787) 750-8818



PEDRO BETANCOURT DIAZ
Via 9 2 LL, 331
Villa Fontana
Carolina, Puerto Rico
Tel. (787) 547-6521
Fax (787) 750-8818

Calle Vereda 140
Paseo del Prado,
Carolina, PR 00987

Phone: 787.547.6521
Fax: 787.750.8818
[Email:zuped@hotmail.com](mailto:zuped@hotmail.com)

Pedro Betancourt Díaz

Experience	1999–2001	Eagle Realty	Carolina, PR
	Real Estate Broker		

Since 2001	BC Properties	Carolina, PR
President		

Education	Instituto de Banca y Comercio 1994 Restaurant administration
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San Juan Board of Realtors 1998 Real Estate Broker Course (Lic. 8416)

Related Education

Instituto Prof. José R. Faría 2000 Regulations 10 Law Course Ethics Regulations Course
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San Juan Board of Realtors Documentation for closing and legal aspects Course

San Juan Board of Realtors 2002 Valuation Analysis Course

Instituto Prof. José R. Faría 2003 Mathematics for Real Estates Course Sales Techniques Course Mortgage Financing Course
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San Juan Board of Realtors Financing of commercial properties Course
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San Juan Board of Realtors 2004 Legal Aspects Course Mortgage Financing Course Venta de Propiedades Bajo Ley de Quiebra Course

San Juan Board of Realtors 2005 Ventas de Propiedades Reposeidas Course	Instituto de Realtors de
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Puerto Rico 2006

New apartment valuation and valuation analysis Course

San Juan Board of Realtors

Sales Techniques Course

Instituto de Realtors de Puerto Rico 2007

Regulations **10 Law** Course

Venta de Propiedades Fuera de Puerto Rico Course

Mathematics for Real Estates Course

Asociación de Realtors

Computers Techniques for Real Estates Course

Calle Vereda 140
Paseo del Prado, Carolina
PR, 00987

Phone: 787.547.6514
Fax: 787.750.8818
[Email:zuped@hotmail.com](mailto:zuped@hotmail.com)

Zunilda Cabrera Jiménez

Experience

1999–2001 Eagle Realty Carolina, PR
Real Estate Broker

Since 2001 BC Properties Carolina, PR
Vice President

Education

Nuestra Señora de los Ángeles Custodios School, R.D. 1985
Commercials Studies

Escuela de Arte Ofelia Dacosta Inc. 1989
Dramatic Arts

Ateneo Puertorriqueño 1990
Drama Principles

San Juan Board of Realtors 1998
Real Estate Broker Course (Lic. 304)

Related education

Instituto Prof. José R. Faría 2000
Regulations **10 Law** Course
Ethics Regulations Course
Mathematics for Real Estates Course
Sales Techniques Course

San Juan Boards of Realtor 2002
Ethics Regulations Course
Congress Housing Course

San Juan Boards of Realtor 2004
Mortgage Financing Course
Venta de Propiedades Bajo Ley de Quiebra Course

San Juan Boards of Realtor 2005
Ventas de Propiedades Reposeidas Course

The Center for Professional Advancement

Pre Reginner's Conversational English 1

Instituto INDEPOCAHU

Crecimiento para el desarrollo humano

San Juan Boards of Realtor 2006

New apartment valuation and valuation analysis Course

Sales Techniques Course

The Center for Professional Advancement

Pre-Reginner's Conversational English II

San Juan Seminar Real Estate, Inc. 2007

Credit Store, Credit Report and How to Protect it Course

Asociación de Realtors

Computers Techniques for Real Estates Course